

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**Hoffman Road Landfill  
City of Toledo  
3962 Hoffman Road  
Toledo, Ohio 43611**

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**ATTENTION:**

**Dan Pittman  
Manager**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring the City of Toledo (the City or you) to submit certain information about the facility at 3962 Hoffman Road, Toledo, Ohio. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

The City owns and operates the Hoffman Road Landfill in Toledo, Ohio. We are requesting this information to determine whether your emission source is complying with the Ohio State Implementation Plan and the CAA.

The City must send all required information to:

Attn: Compliance Tracker, AE-18J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

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The City must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative,  

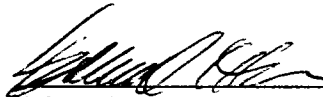
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civil or criminal action.

Failure to comply fully with this information request may subject the City to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Kenneth Ruffatto at 312 886-7886.

5/30/17  
Date

  
\_\_\_\_\_  
Edward Nam  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.

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2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*; the Ohio State Implementation Plan; National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills at 40 C.F.R. Part 63, Subpart AAAA; Standards of Performance for Municipal Solid Waste Landfills at 40 C.F.R. Part 60, Subpart WWW; or the administrative regulations promulgated pursuant to either of the foregoing.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term “related to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating, or relevant to.

## **Appendix B**

### **Information You Are Required to Submit to EPA**

The City must submit the following information for the Hoffman Road Landfill (Landfill) pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a):

1. Provide current site map(s) displaying the following information:
  - a. Cell identifier;
  - b. Gas well locations and identifiers, including header lines and header sizes;
  - c. Active or closed portions; and
  - d. Areas excluded from gas collection.
2. Provide cut diagram(s) of all Landfill layers including, but not limited to, the cover (both final and interim), liner on all parts of the Landfill (also provide depth of liner) and fill (description of how waste is placed).
3. Provide the copies of all documents related to the following:
  - a. Initial design capacity report of the Landfill and all revisions/amendments;
  - b. Non-Methane Organic Compounds (NMOC) emission rate report and other calculations, include reports for all Tier 2, 3, or 4 tests;
  - c. Gas Collection and Control System (GCCS) Design Plan, including the initial plan and all revisions with explanations on why revisions were made;
  - d. Performance test reports for GCCS, including initial and all additional tests;
  - e. GCCS Startup, Shutdown, and Malfunction (SSM) Plan, including the initial plan and all revisions; and
  - f. If applicable, any Landfill closure reports.
4. Provide all documents related to gas extraction device density including vertical extraction wells, horizontal collectors, migration collectors, and other gas extraction units. Include in your response all studies, calculations, or reports done to ensure proper collection device density.
5. In electronic spreadsheet format, provide the monthly quantity (tons) of waste accepted at the Landfill since May 2012. Include a breakdown by type of waste (i.e. municipal solid waste, construction and demolition, asbestos, sludge, etc.) and specify the Landfill location(s) or cell(s) into which each type of waste was placed. Specifically, include locations, if applicable, of any asbestos and the amount placed.
6. If applicable, provide copies of all field testing or calculations performed to determine site-specific methane generation and NMOC concentration constants at the Landfill.
7. Provide copies of documents and calculations used to determine the maximum landfill gas (LFG) flow rate. Also provide capacity of all control and mover equipment.

8. Provide copies of all gas sampling done at the Landfill. Your response should include, but not be limited to, sampling done for sulfur and Hazardous Air Pollutant (HAP) content.
9. Provide a description of the daily cover used at the Landfill and the procedure for placing and removing it. If available, provide a standard operating procedure for daily cover.
10. Provide a description of leachate and condensate management on-site including storage capacity (gallons) of any leachate. Include in your response monthly quantity (gallons) of leachate and condensate collected and also level (inches) of leachate on the liner since May 2012.
11. Provide the following information for each LFG extraction well at the facility:
  - a. Date of installation, for re-drills indicate that the well is a re-drill and provide justification for the re-drill;
  - b. Characteristics – material used, length of solid pipe, length of perforated pipe, width of pipe;
  - c. Boring specifics – fill material, depth of well; and
  - d. All depth to bottom and depth to water measurements since May 2012 and whether the well has a pump for liquids removal.
12. Provide documents related to construction done on the GCCS since May 2012. Include in your response reports that outline work that was done or is planned to be done on the GCCS.
13. In electronic spreadsheet format, where applicable, provide all information related to the following types of monitoring activities since May 2012. For each, include date(s) and description(s) of all monitoring activity and corrective actions taken as a result of monitoring and also all calibration data on instrumentation:
  - a. All GCCS wellhead monitoring data recorded;
  - b. Surface Emission Monitoring (SEM) data, including but not limited to all methane exceedances, follow-up monitoring from exceedances, corrective actions performed, and any surface monitoring done outside of the required monthly monitoring (including follow-up and corrective actions); and
  - c. Control device monitoring data, including but not limited to temperature or heat sensing data and gas flow rate (provide total gas flow rate and individual flow rates if more than one control device or a bypass is present).
14. Provide all documents related to monitoring of the gas probes located at the boundary of the Landfill since May 2012. Include in your response documents related to any measured levels of LFG and any corrective actions taken in response to LFG readings in the probes.
15. Provide all documents related to gas migration at the Landfill. Include in your response all studies and corrective actions taken for gas migration since May 2012.

16. Provide all alternative compliance timeline requests since May 2012 and all alternative monitoring and higher operating value requests since installation of the GCCS submitted to either Ohio EPA or EPA.
  17. Provide a copy or detailed description and reports for any cover integrity programs or plans implemented at the Landfill as required by 40 C.F.R. § 60.755(c)(5), including date(s) and description(s) of all cover deficiencies, repairs and other corrective actions since May 2012.
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18. Provide a detailed description of how SEM is currently performed at the Landfill. Include in your response a description and map of the path traveled, any diversions made from that path, method(s) of transportation, the type of instrument used, sample flow rate, and how exceedances are recorded and corrected.
  19. Provide copies of all visible emission readings, stack tests, performance tests, engineering studies, and air emission calculations related to gas emissions at the Landfill since May 2012 unless already provided.
  20. Provide copies of all reports submitted in accordance with 40 C.F.R. § 60.757(f) since May 2012, including a narrative of steps taken to minimize LFG emissions during any times the GCCS was not operating.
  21. Provide copies of all deviation and annual emission reports submitted to the Ohio EPA since May 2012.
  22. In electronic spreadsheet format, provide a log of all citizen complaints received either directly or indirectly since May 2012. The log should include:
    - a. Date and time;
    - b. Location;
    - c. Description of complaint; and
    - d. Any corrective action or monitoring done as a result.



## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

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Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

### **Determining Whether the Information Is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by ~~legitimate means without your consent and that disclosure of the information is likely to cause~~ substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.

- ~~8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?~~

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

#### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by  
Certified Mail, Return Receipt Requested, to:

Dan Pittman  
City of Toledo  
3962 Hoffman Road  
Toledo, Ohio 43611

I also certify that I sent a copy of the Request to Provide Information Pursuant to the  
Clean Air Act by E-mail to:

Bob Hodanbosi  
Chief, Division of Air Pollution Control  
Bob.hodanbosi@epa.ohio.gov

and

Mark Budge  
APC Manager  
Mark.budge@toledo.oh.gov

On the 31 day of May 2017.



Kathy Jones, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7014 2870 0001 9518 9220